

ZB# 02-73

Thomas Bailey

6-5-31

02-73

BAILEY, THOMAS - 47 KNOX DRIVE
AREA VARIANCE 6-5-31

1

Preliminary
11/3/03

APPROVED

4/03

APPLICATION FEE (DUE AT TIME OF FILLING OF APPLICATION)

FILE # 02-73 TYPE: AREA ✓ USE _____APPLICANT: Thomas Bailey

TELE: _____

RESIDENTIAL: \$ 50.00 CHECK # 2/21

COMMERCIAL: \$150.00 CHECK # _____

INTERPRETATION: \$150.00 CHECK # _____

ESCROW: \$ 300. / \$500.00 CHECK # 2/22DISBURSEMENTS:

	MINUTES \$4.50 PER PAGE	ATTORNEY FEES \$35.00 / MEETING
PRELIM..... <u>1/13</u>	\$ <u>22.50</u>	\$ <u>35.00</u>
2 ND PRELIM.....	_____	_____
3 RD PRELIM.....	_____	_____
PUB HEARING..... <u>2/14</u>	\$ <u>13.50</u>	\$ <u>35.00</u>
PUB HEARING (CONT')...	_____	_____
TOTAL	\$ <u>36.00</u>	\$ <u>70.00</u>

OTHER CHARGES:..... \$ —

• • • • •

ESCROW POSTED:	\$ <u>300.00</u>
AMOUNT DUE:	\$ _____
REFUND DUE:	\$ <u>194.00</u>



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

OFFICE OF THE ZONING BOARD OF APPEALS

April 29, 2003

Mr. Thomas Bailey
47 Knox Drive
New Windsor, NY 12553

SUBJECT: 6-5-31 VARIANCE REQUEST

Dear Mr. Bailey:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

Myra Mason, Secretary to the
NEW WINDSOR ZONING BOARD

MLM:mlm

In the Matter of the Application of

MEMORANDUM OF
DECISION GRANTING

THOMAS BAILEY

AREA

CASE #02-73

WHEREAS, Thomas Bailey , owners of 47 Knox Drive, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an 12 ft. rear yard setback to construct a deck and addition in an R-4 zone; and

WHEREAS, a public hearing was held on the February 24, 2003 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant's wife appeared on behalf of this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a residential property located in a neighborhood of residential properties.
 - (b) The applicant seeks to build an addition to the single-family house.
 - (c) The proposed addition of a deck is to permit an ill or handicapped person better access to and from the house.
 - (d) Construction of the deck and addition will not create any water hazards or ponding or collection of water or divert the flow of drainage from the property.
 - (e) No trees or substantial vegetation will be removed for the construction of the addition and deck. After construction of the addition and deck, the house will be consistent in appearance with the other houses in the neighborhood.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant which can produce the benefits sought.
3. The variances requested are substantial in relation to the Town regulations but nevertheless are warranted.
4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.
6. The benefit to the Applicant, if the requested variances are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variances are appropriate and are the minimum variances necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variances.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 12 ft. rear yard setback to construct a deck and addition in an R-4 zone, as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: April 22, 2003


Chairman

**TOWN OF NEW WINDSOR
ENGINEER, PLANNING BOARD
AND ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: APRIL 25, 2003
SUBJECT: ESCROW REFUND BAILEY

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 194.00 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #02-73

NAME: THOMAS BAILEY

ADDRESS: 47 KNOX DRIVE

NEW WINDSOR, NY 12553

THANK YOU,

MYRA

*4/25/03
L.R.*

THOMAS BAILEY (02-73)

MR. TORLEY: Request for 12' rear yard setback to construct a deck and addition in an R-4 zone at 47 Knox Drive.

Mrs. Bailey appeared before the board for this proposal.

MRS. BAILEY: Mr. Bailey is unable to make it, he's disabled. I'm his wife.

MR. TORLEY: Yes, ma'am, so what's the problem?

MRS. BAILEY: Well, we're seeking a variance to build an addition to our single family home to accommodate my disabled husband to have him on one level.

MR. TORLEY: The new deck then is to permit an ill person or handicapped person better access to and from his house?

MRS. BAILEY: Yes.

MR. KANE: You won't be creating any water hazards, runoffs in the building of this?

MRS. BAILEY: No.

MR. KANE: Cutting down of trees?

MRS. BAILEY: No.

MR. KANE: Do you feel that the addition and the deck would drastically change the neighborhood?

MRS. BAILEY: I don't think so.

MR. TORLEY: Mike, I'm looking at this, it's looking for a rear yard, 12 foot rear yard setback, the sketch I'm looking at applies to side, not rear yard.

MR. KANE: From the one corner, Larry, you'll notice it's 25.

MR. TORLEY: The existing structure blocked it out, okay, it blocked out part of the structure. Now I've got it. There's a new addition, two story addition and a new deck so we're looking for.

MR. KANE: Just a 12 foot setback because the 12 feet on the addition covers the back, correct?

MR. BABCOCK: That's correct.

MR. TORLEY: My mistake.

MR. BABCOCK: The rear yard is existing, Mr. Chairman, they're staying even with the back of the house, excuse me, I'm sorry, that's not correct.

MR. TORLEY: Side yard.

MR. BABCOCK: Right.

MR. TORLEY: The text over the existing wood frame dwelling sort of the blocked out the spacing and you miss it. Again, if there's anyone in the audience who wishes to speak on this matter? If not, I'm going to open and close the public hearing and ask how many letters were sent out.

MS. MASON: On the third day of February, 64 envelopes were mailed out.

MR. TORLEY: Thank you.

MR. BABCOCK: Just one correction here, the side yard, the 12 foot the deck is exactly even with the existing house, what they're here for tonight is a rear yard, that's a new two story addition in the back and the deck so it's a rear yard variance of 12 feet.

MR. TORLEY: I was incorrect when I was looking at the map.

MR. KANE: Yeah, that's what's in here.

MR. TORLEY: Gentlemen, questions?

February 24, 2003

19

MR. RIVERA: No.

MR. MC DONALD: Accept a motion?

MR. TORLEY: Yes.

MR. MC DONALD: Make a motion we grant the request for 12 foot rear yard setback to Mr. Thomas Bailey.

MR. RIVERA: Second it.

ROLL CALL

MR. RIVERA	AYE
MR. MC DONALD	AYE
MR. KANE	AYE
MR. TORLEY	AYE



RESULTS OF Z.B. MEETING OF: February 27, 2003

PROJECT: Thomas Bailey - Public Hearing ZBA # 02-73
P.B.#

P.B.#

USE VARIANCE: **NEED: EAF** _____ **PROXY** _____

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____
 RIVERA _____
 MCDONALD _____ CARRIED: Y _____ N _____
 REIS _____
 KANE _____
 TORLEY _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____
 RIVERA _____
 MCDONALD _____ CARRIED: Y _____ N _____
~~JOE~~ _____
 KANE _____
 TORLEY _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____
 RIVERA _____
 MCDONALD _____ CARRIED: Y _____ N _____
~~REIS~~ _____
 KANE _____
 TORLEY _____

APPROVED: M)____S)____ VOTE: A____ N____
 RIVERA _____
 MCDONALD _____ CARRIED: Y____ N____
~~REIS~~ _____
 KANE _____
 TORLEY _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M)____ S)____ VOTE: A____ N____
RIVERA _____
MCDONALD _____
~~REIS~~ _____
KANE _____
TORLEY _____

CARRIED: Y_____ N_____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES

VARIANCE APPROVED: M) 19 S) R VOTE: A 4 N .

RIVERA	A
MC DONALD	A
REIS	
KANE	A
TORLEY	A

CARRIED: Y ☒ **N** ☐.

[illegible]

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR
COUNTY OF ORANGE: STATE OF NEW YORK**

-----X

In the Matter of the Application for Variance of

THOMAS BAILEY

AFFIDAVIT OF
SERVICE
BY MAIL

#02-73

_____ X

STATE OF NEW YORK)

) SS:

COUNTY OF ORANGE)

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 3RD day of FEBRUARY, 2003, I compared the 64 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason
Myra L. Mason, Secretary

3rd day of February, 2003.

J. Mead
Notary Public

JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified in Orange County
Commission Expires 10/30/2006



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessors Office

January 21, 2003

Thomas Bailey
47 Knox Drive
New Windsor, NY 12553

Re: 6-5-31 ZBA#02-73

Dear Mr. Bailey:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$85.00, minus your deposit of \$25.00.

Please remit the balance of \$60.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley
Sole Assessor

JTD/lrd
Attachments

CC: Myra Mason, ZBA

4-1-12.2
Newburgh Water Supply
City Hall
Newburgh, NY 12550 ✓

4-2-3.222
The Young Women's Association of
Newburgh
C/o YWMCA
565 Union Avenue
New Windsor, NY 12553 ✓

6-1-4
Mark Trevorah
Kelli Restivo
12 Clarkview Road
New Windsor, NY 12553 ✓

6-1-5
Robert Bradley & Karen Bruno
Joan March
31 O'Dell Circle
Newburgh, NY 12550 ✓

6-1-6
Kenneth & Elizabeth Stronggreen
16 Clarkview Road
New Windsor, NY 12553 ✓

6-1-7
Albert & Margaret Lusardi
18 Clarkview Road
New Windsor, NY 12553 ✓

6-1-8
Willard & Mary Jaime
20 Clarkview Road
New Windsor, NY 12553 ✓

6-1-9
James & Frances Lego
22 Clarkview Road
New Windsor, NY 12553 ✓

6-1-10
Stacey Gilmore
24 Clarkview Road
New Windsor, NY 12553 ✓

6-1-11
John & Ellen Walsh
26 Clarkview Road
New Windsor, NY 12553 ✓

6-1-12
Benny & Nancy Almodovar
28 Clarkview Road
New Windsor, NY 12553 ✓

6-1-13
Janette Hyzer
30 Clarkview Road
New Windsor, NY 12553 ✓

6-1-14
Larry & Clyde Sweney
32 Clarkview Road
New Windsor, NY 12553 ✓

6-1-15
Raphael & Carol Van Voorhis
34 Clarkview Road
New Windsor, NY 12553 ✓

6-1-16
Richard & Patricia Jennings
36 Clarkview Road
New Windsor, NY 12553 ✓

6-1-17
Roberto & Sonia Rodriguez
38 Clarkview Road
New Windsor, NY 12553 ✓

6-1-18
Philip & Madeline Infante
602 Union Avenue
New Windsor, NY 12553 ✓

6-3-2
Arnold & Beverly Messer
2 Knox Drive
New Windsor, NY 12553 ✓

6-3-11
Robert & Patricia Merkl
9 Mitchell Lane
New Windsor, NY 12553 ✓

6-3-12
Charles Shanahan Jr.
7408 Henry Avenue
Philadelphia, PA 19128 ✓

6-3-13
Anthony Dirago Jr.
5 Mitchell Lane
New Windsor, NY 12553 ✓

6-3-14
Peter Reilly Sr. & Patricia Spignardo
John Reilly & Sharon Schebesta
C/o Alice Reilly
3 Mitchell Lane
New Windsor, NY 12553 ✓

6-3-15
Josph Armisto
Nina Cargain
1 Mitchell Lane
New Windsor, NY 12553 ✓

6-3-16
George & Evelyn Roman
17 Clarkview Road
New Windsor, NY 12553 ✓

6-3-17
Kathleen Kopchak
15 Clarkview Road
New Windsor, NY 12553 ✓

6-4-1
Ismail & Cemaliye Nouri
19 Clarkview Road
New Windsor, NY 12553 ✓

6-4-2
Anthony & Angela Oddo
2 Mitchell Lane
New Windsor, NY 12553 ✓

6-4-3
Timothy & Debra Gilchrist
4 Mitchell Lane
New Windsor, NY 12553 ✓

6-4-4
Rebecca Flores
6 Mitchell Lane
New Windsor, NY 12553 ✓

6-4-5
Steven & Jane Albano
8 Mitchell Lane
New Windsor, NY 12553 ✓

6-4-6
John & Kathleen Hannon
10 Mitchell Lane
New Windsor, NY 12553 ✓

6-4-18
Nea Sum Chin
21 Clarkview Road
New Windsor, NY 12553 ✓

6-5-35
Vincent & Mary Ellen DeVito
1 President Court
New Windsor, NY 12553 ✓

6-4-7
John Fisher
Luz Camilo-Fisher
12 Mitchell Lane
New Windsor, NY 12553 ✓

6-5-24
Shirley Hassdenteufel
33 Knox Drive
New Windsor, NY 12553 ✓

6-5-36
John & Grace Schultz
3 President Court
New Windsor, NY 12553 ✓

6-4-10
Richard & Anna Kenna
32 Knox Drive
New Windsor, NY 12553 ✓

6-5-25
Charles & Lucy Nergelovic
35 Knox Drive
New Windsor, NY 12553 ✓

6-5-37
Kenneth & Maria Maldonado
5 President Court
New Windsor, NY 12553 ✓

6-4-11
Donna Verdiglione
34 Knox Drive
New Windsor, NY 12553 ✓

6-5-26
Christine Smith
37 Knox Drive
New Windsor, NY 12553 ✓

6-5-38
George & Helen Mehlig
7 President Court
New Windsor, NY 12553 ✓

6-4-12
Doreen & Michael Casey
36 Knox Drive
New Windsor, NY 12553 ✓

6-5-28
Richard & Donna Dotson
41 Knox Drive
New Windsor, NY 12553 ✓

6-5-39
Ellen & Scott Meyer
9 President Court
New Windsor, NY 12553 ✓

6-4-13
Christopher & Allison Jacopino
38 Knox Drive
New Windsor, NY 12553 ✓

6-5-29
Harold Willis
43 Knox Drive
New Windsor, NY 12553 ✓

6-5-40
Luigi & Anna Muratore
31 Clarkview Road
New Windsor, NY 12553 ✓

6-4-14
James & Francis O'Neil
40 Knox Drive
New Windsor, NY 12553 ✓

6-5-30
Cheryl Grainger
45 Knox Drive
New Windsor, NY 12553 ✓

6-5-41
Jose & Donnette Quinones
33 Clarkview Road
New Windsor, NY 12553 ✓

6-4-15
Matthew & Corinne Lynch
42 Knox Drive
New Windsor, NY 12553 ✓

6-5-32
Nancy Sharp
25 Clarkview Road
New Windsor, NY 12553 ✓

6-5-42
Harold & Vera Porath
35 Clarkview Road
New Windsor, NY 12553 ✓

6-4-16
Robin Piekarz
Curtis Worden
44 Knox Drive
New Windsor, NY 12553 ✓

6-5-33
Herman, Marie & Bruce Walker
27 Clarkview Road
New Windsor, NY 12553 ✓

6-5-43
Elwood & Florence Wilson
592 Union Avenue
New Windsor, NY 12553 ✓

6-4-17 & 6-5-27
Jeremiah & Patricia Quill
23 Clarkview Road
New Windsor, NY 12553 ✓

6-5-34
Diane Maskiell
Douglas Brown Jr.
29 Clarkview Road
New Windsor, NY 12553 ✓

6-5-44
Joseph Herring
590 Union Avenue
New Windsor, NY 12553 ✓

6-5-45

Le Grande Sr. & Willetta Moseley
588 Union Avenue
New Windsor, NY 12553

✓

6-5-46.1

Marato Homes, LLC
194 Milton Turnpike
Milton, NY 12547

✓

6-5-46.223

John & Maryanne Kochan
PO Box 4627
New Windsor, NY 12553

✓

6-5-46.224

Joseph & Sally Ann Alessi
564 Union Avenue
New Windsor, NY 12553

✓

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PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 02-73

Request of THOMAS BAILEY

for a VARIANCE of the Zoning Local Law to Permit:

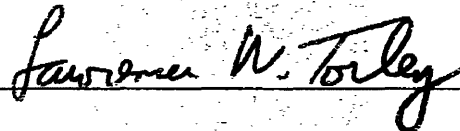
Request for 12' Rear Yard Setback to construct a deck and addition in an R-4 Zone

being a VARIANCE of Section 48-12-G8

for property located at: 47 Knox Drive

known and designated as tax map Section 6 Block 5 Lot 31

PUBLIC HEARING will take place on FEBRUARY 24, 2003 AT 7:30 P.M.
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.

A handwritten signature in cursive script, reading "Lawrence W. Torley", is written over a horizontal line.

Chairman

PRELIMINARY MEETINGS:

BAILEY, THOMAS (02-73)

Mr. Thomas Bailey appeared before the board for this proposal.

MR. TORLEY: Request for 12' rear yard setback to construct addition with attached deck. Tell us what you need to do.

MR. BAILEY: I need to put an extension onto the back of the house to get more flat space and I need 12 foot variance because it extends 28 feet, doesn't meet the 44 foot limit.

MR. TORLEY: This is an attached deck?

MR. BAILEY: Yes and an extension to the house, addition.

MR. TORLEY: We have these preliminary meetings so that by law, the Zoning Board of Appeals does everything at a public hearing, we have the preliminaries so we can understand what you want, we can tell you the kinds of things you'll be expected to present at a public hearing so no one gets surprised.

MR. KANE: Mr. Bailey, are you going to be cutting down any trees or creating water hazards in the building of this addition and deck?

MR. BAILEY: We have a tree in the back yard I have to have somebody take a look at it. I don't think it's going to interfere but I want him to take a look at it, there's one in the yard where the site plan is, I'm pretty sure it's not going to interfere.

MR. KANE: You won't be creating any water hazards or runoffs with this.

MR. BAILEY: No.

MR. KANE: Approximately, what's the size of the deck that's going to be going on there?

MR. TORLEY: This is sort of a semicircular deck, it's going to be going around a swimming pool or something?

MR. KANE: You have a plan?

MR. TORLEY: Yes.

MR. KANE: We can see from the plan, sir, thank you.

MR. TORLEY: One thing you to remind you that we do everything by what you tell us the measurements are. If you say you need a ten foot variance that's what we go by. If it turns out that you mis-measure and you actually need a 10 foot 7 inch variance some banks get so fussy that you have to start over again.

MR. BAILEY: I had an architect do it.

MR. TORLEY: If you had the architect--

MR. BAILEY: The architect did the site plan.

MR. KANE: Are there going to be doorways coming out from the existing house onto the deck from the addition to the deck?

MR. BAILEY: Yes, there's going to be a doorway, a double doorway on the existing house onto the deck and there's a double doorway and there's a patio that exists.

MR. KANE: Without the deck being there, that would be a safety hazard?

MR. BAILEY: Yes, this is a garden area right down here where the steps are.

MR. TORLEY: Do your neighbors have any decks like this, not identical but they have decks on their house?

MR. BAILEY: Yes, they do.

MR. TORLEY: Make sure you talk to your neighbors. Gentlemen, do you have any other questions at this

time?

MR. REIS: You're not going to be creating drainage to your neighbor's rear yard or side yard or anything?

MR. BAILEY: No.

MR. KANE: If I may ask the purpose of the addition?

MR. BAILEY: I'm, I need to have more flat area space. Right now the way these houses are built, there's just a small area around, for my mobility, I need to have better access outside.

MR. KANE: Fair enough.

MR. TORLEY: Those are the kinds of things we're going to ask you at a public hearing. This is an area variance which means we have to balance the pluses you've got and by being able to do this against any impact of your neighbors.

MR. KANE: Plus with a two story addition, we want to make sure that you're not going to be adding some kind of an apartment or something like that to the home so we need to ask those questions and verify them.

MR. BAILEY: The main purpose is to get more space for me for, I'm becoming less mobile than I was before.

MR. KANE: By law, we need to, this is the smallest that you can make this addition?

MR. TORLEY: We're also directed to grant the smallest feasible variances, too.

MR. KANE: To accomplish what you want?

MR. BAILEY: I have to check on that.

MR. TORLEY: Be prepared to talk about why you need this kind of size.

MR. KANE: Doesn't necessarily mean I'm against what you're showing.

MR. BAILEY: It's not a question I even thought about.

MR. KANE: That's why we have a preliminary. If you can just give the actual dimensions of the addition.

MR. KRIEGER: Is it over any water or sewer easements, well or septic system?

MR. BAILEY: It's not over any water or anything.

MR. KANE: With the addition and the deck the house itself is not going to make any drastic changes to the neighborhood and be similar in size to other homes in your neighborhood?

MR. BAILEY: Yes, there's some homes that the configuration will be different in size, it will be the same as many homes in the area.

MR. KANE: Thank you very much, sir.

MR. TORLEY: Are we going to run into developmental coverage problems, Mike, you've got a plan, does it look like he's going to get into developmental area coverage?

MR. BABCOCK: We'll have to take a look at that, Mr. Chairman, apparently not, they didn't do it or they didn't see it. I'll check that.

MR. TORLEY: There are limits within the zoning code as to how much you can put on a property. You can't fill your entire lot with house.

MR. KANE: As long as you're here, we want to make sure everything is correct.

MR. REIS: Is it 20 or 15 percent?

MR. BABCOCK: Things have changed so I'm not sure what the numbers are, I don't have that with me here tonight.

MR. TORLEY: It's an R-4 zone, I don't remember what it

January 13, 2003

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is.

MR. BABCOCK: All the numbers have changed recently so--

MR. TORLEY: We'll check and make an amended if necessary.

MR. BABCOCK: I will modify this, we'll talk tomorrow and I will modify this and give it to Myra and at the public hearing we'll know that that was modified.

MR. KANE: I move that we set up a public hearing for Mr. Bailey on his requested variances.

MR. MC DONALD: Second it.

ROLL CALL

MR. KANE	AYE
MR. REIS	AYE
MR. MC DONALD	AYE
MR. TORLEY	AYE



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

February 19, 2003

Mr. Thomas Bailey
47 Knox Drive
New Windsor, NY 12553

SUBJECT: ZBA #02-73 REQUEST FOR VARIANCE

Dear Mr. Bailey:

This is just a reminder that your Public Hearing before the Zoning Board of Appeals for your requested variance at:

47 Knox Drive
New Windsor, Ny

is scheduled for the February 24th, 2003 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm





100000

A black and white photograph of a large, multi-story building, possibly a school or institutional structure, with a prominent central tower or steeple. The building has several windows and is surrounded by trees and a fence in the foreground.



OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

*Jan 13th
Preliminary*

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4615 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: November 27, 2002

APPLICANT: Thomas Bailey
47 Knox Drive
New Windsor, NY 12553

COPY

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: November 19, 2002

FOR : Proposed Addition and Attached Deck

LOCATED AT: 47 Knox Drive

ZONE: R-4 Sec/Blk/ Lot: 6-5-31

DESCRIPTION OF EXISTING SITE: 47 Knox Drive

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Proposed attached rear deck will not meet minimum 40' rear yard set back.
2. Proposed attached rear addition will not meet minimum 40' rear yard set back


BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: G-8

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD: 40' 28' 12'

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

Sent Application 12/23.

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

ZONING BOARD

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway pond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septo permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

FOR OFFICE USE ONLY:

Building Permit #: 2002-1273

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises

Thomas + Nancy Bailey

Address 47 Knox Drive, New Windsor Phone # 565-8897

Mailing Address

same

Fax #

Name of Architect

Robert Sears

Address

35 Meriline Ave, New Windsor

Phone

562-3232

Name of Contractor

Address _____ Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder Owner

If applicant is a corporation, signature of duly authorized officer. _____
(Name and title of corporate officer)

1. On what street is property located? On the South side of KNOT DRIVE
(N, S, E or W)
and 90' 0" feet from the intersection of CLARK VIEW Rd

2. Zone or use district in which premises are situated _____ Is property a flood zone? Y N X

3. Tax Map Description: Section 6 Block B 5 Lot 31

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy Single Dwelling Intended use and occupancy Single Dwelling

5. Nature of work (check if applicable) ☐ New Bldg. ☒ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other

6. Is this a corner lot? No

7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories 2

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost \$4,000 Fee \$50.00 ck # 2101

ZONING BOARD

PAID

date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE CO., NEW YORK
Pursuant to New York State Building Code and Town Ordinances.

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Liel & Louis Kryohear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 583-4818
(845) 583-4885 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, place or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicant)

Thomas S. Bailey
(Owner's Signature)

(Address of Applicant)

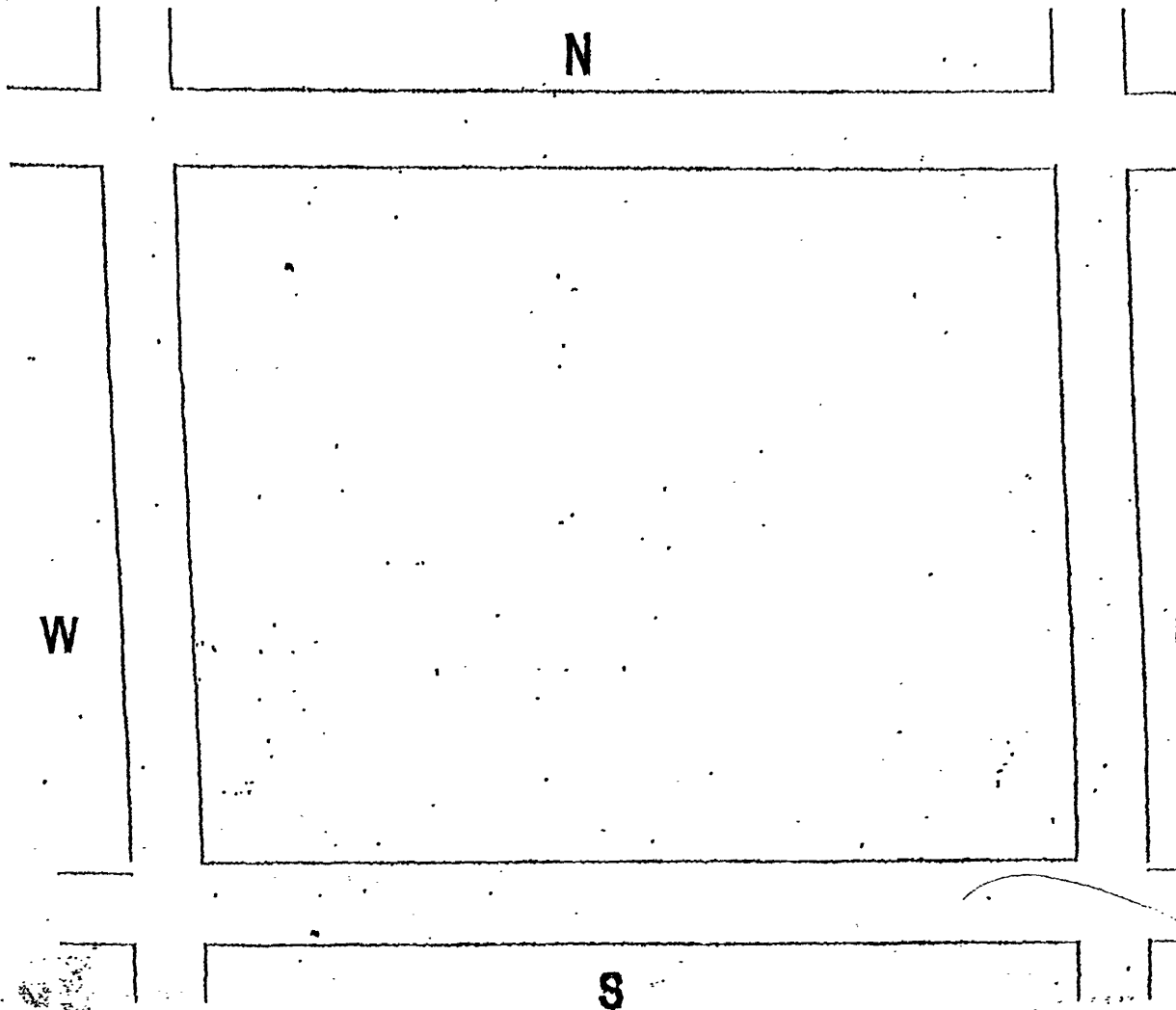
47 KNOX Drive

PLOT PLAN

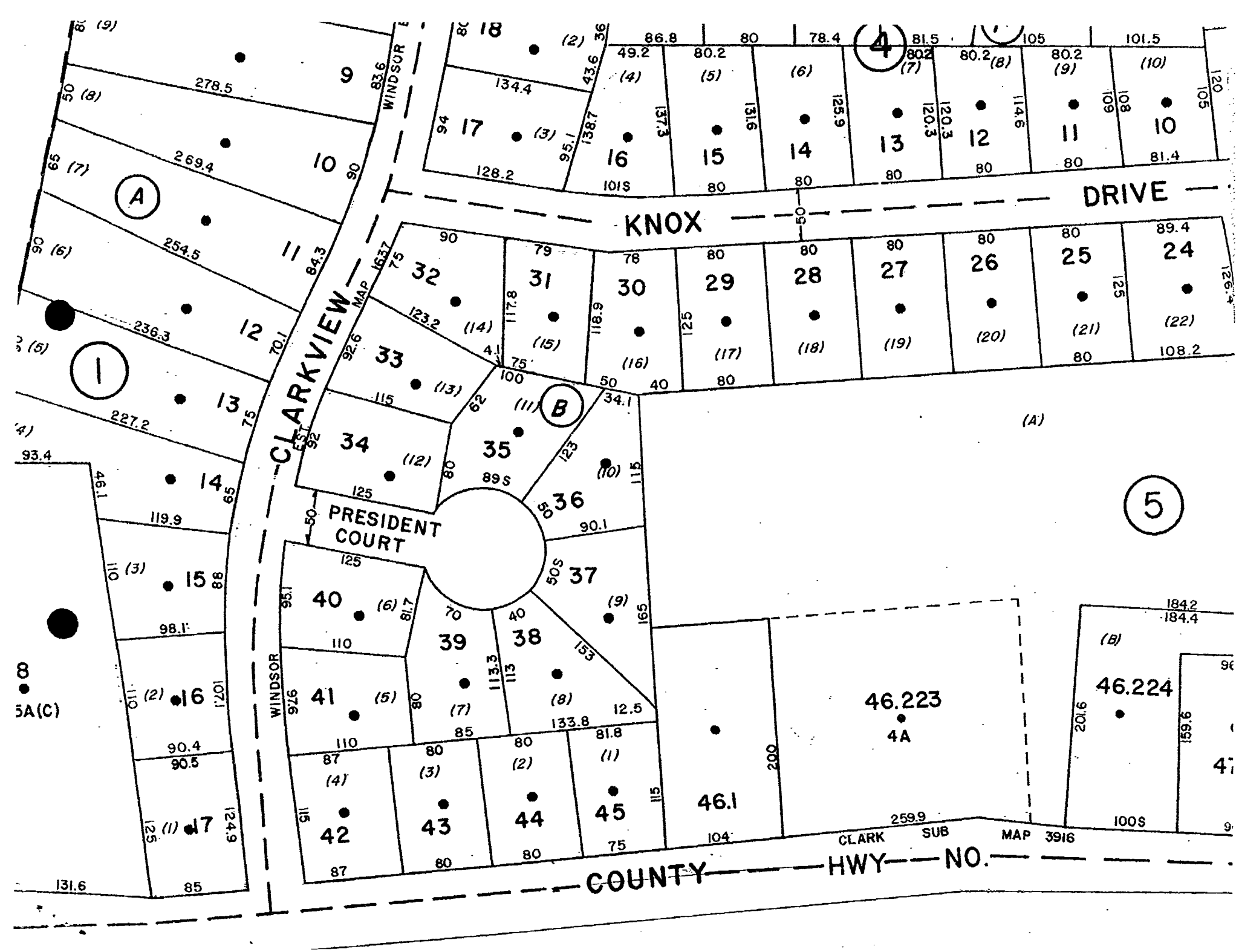
(Owner's Address)

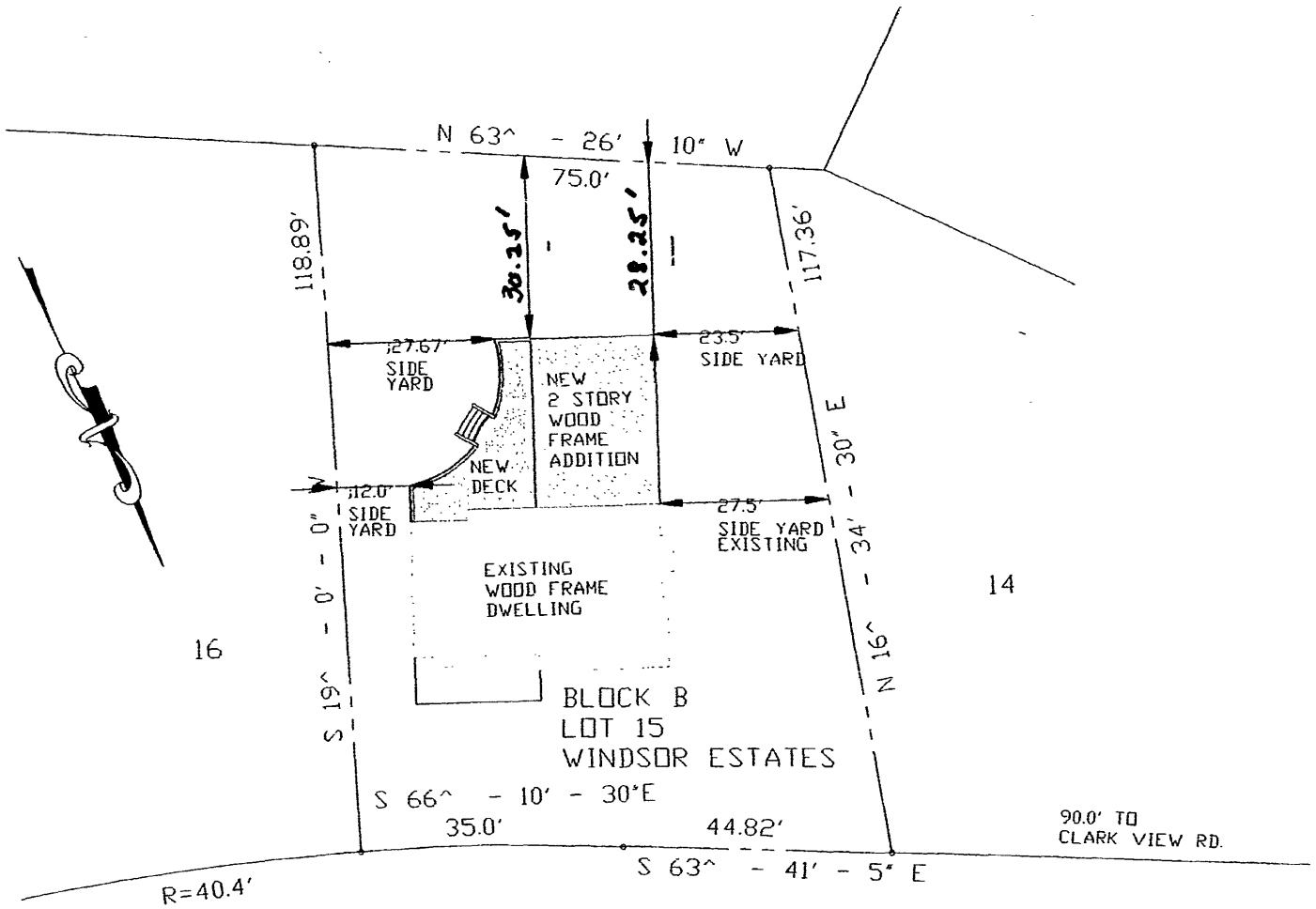
1315 W. 1st St.

NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



1315 W. 1st St.





KNOX DRIVE

PROPERTY SURVEY

SCALE: 1"=40'

NOTE
 PROPERTY SURVEY INFORMATION TAKEN FROM
 DRAWING ENTITLED: PLAN FOR BLOCK B, LOT 15, WINDSOR ESTATES.
 PREPARED BY: EUSTANCE & HORDWITZ ENGINEERS
 P.O. BOX 175, CIRCLEVILLE, NY



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

REQUEST FOR NOTIFICATION LIST

DATE: 1-14-03

OK - 1/14/03

@

1763

NAME: Thomas Bailey

TELE: () 565-8897

ADDRESS: 47 Knox Drive
New Windsor

TAX MAP NUMBER: SEC. 6, BLOCK 5, LOT 31
SEC. , BLOCK , LOT
SEC. , BLOCK , LOT

PUBLIC HEARING DATE (IF KNOWN):

~~THIS PUBLIC HEARING IS BEING REQUESTED BY:~~

~~NEW WINDSOR PLANNING BOARD:~~

~~SITE PLAN & SUBDIVISIONS:~~

~~(LIST WILL CONSIST OF ADJUTING
PROPERTY OWNERS AND ACROSS ANY STREET)~~

~~YES~~

~~SPECIAL PERMIT ONLY:~~

~~(LIST WILL CONSIST OF ALL PROPERTY
OWNERS WITHIN 500 FEET)~~

~~YES~~

~~AGRICULTURAL DISTRICT:~~

~~(LIST WILL CONSIST OF ALL PROPERTY OWNERS
WITHIN THE AG DIST. WHICH IS WITHIN 500'
OF SITE PLAN OR SUBDIVISION PROJECT)~~

~~YES~~

* * * * *

NEW WINDSOR ZONING BOARD:

(LIST WILL CONSIST OF ALL PROPERTY
OWNERS WITHIN 500 FEET)

✓
YES

* * * * *

AMOUNT OF DEPOSIT \$ 25.00

TOTAL CHARGE \$



RESULTS OF Z.B.A. MEETING OF:

January 13, 2003

PROJECT: Thomas Bailey

ZBA # 02-73

P.B.#



USE VARIANCE:

NEED: EAF

PROXY

LEAD AGENCY: M) S) VOTE: A N

~~RIVERA~~

MCDONALD

REIS

KANE

TORLEY

CARRIED: Y N

NEGATIVE DEC: M) S) VOTE: A N

~~RIVERA~~

MCDONALD

REIS

KANE

TORLEY

CARRIED: Y N

PUBLIC HEARING: M) S) VOTE: A N

~~RIVERA~~

MCDONALD

REIS

KANE

TORLEY

CARRIED: Y N

APPROVED: M) S) VOTE: A N

~~RIVERA~~

MCDONALD

REIS

KANE

TORLEY

CARRIED: Y N

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING:

M) K S) M

VOTE: A 4 N 0

~~RIVERA~~

MCDONALD

REIS

KANE

TORLEY

A
A
A
A

CARRIED: Y ✓ N 0

PUBLIC HEARING:

STATEMENT OF MAILING READ INTO MINUTES

VARIANCE APPROVED:

M) S) VOTE: A N

~~RIVERA~~

MC DONALD

REIS

KANE

TORLEY

CARRIED: Y N

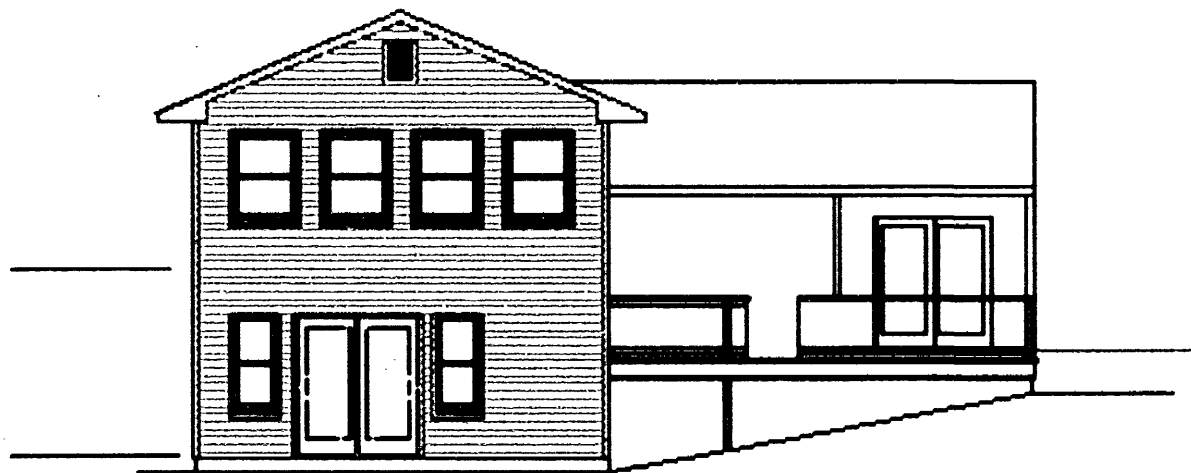
Why you need this size
over easements - No

Water - No

Sewer - No

Developmental Coverage? Mile to Check

02-73



REAR ELEVATION 'A'

SCALE 1/4" = 1'-0"

ZBA# 02-73

**Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611**

**RECEIPT
#25-2003**

01/13/2003

**Bailey, Thomas G.
47 Knox Drive
New Windsor, NY 12553**

**Received \$ 50.00 for Zoning Board Fees, on 01/13/2003. Thank you for
stopping by the Town Clerk's office.**

As always, it is our pleasure to serve you.

**Deborah Green
Town Clerk**

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 01-13-03 FOR: ESCROW - RESIDENTIAL

FROM: THOMAS BAILEY
47 KNOX DRIVE
NEW WINDSOR, NY

CHECK NUMBER: 2122

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



1-13-03

NAME

DATE

PLEASE RETURN SIGNED COPY TO MYRA FOR FILING

THANK YOU



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE



02-73 / 1-8-03

Date

Application Type: Use Variance ☒ Area Variance ☐

Sign Variance ☐ Interpretation ☐

I. **Owner Information:**

THOMAS G. BAILEY

(Name)

47 Knox Drive

(Address)

Phone Number: (845) 565-8897

Fax Number: ()

II. **Purchaser or Lessee:**

N/A

(Name)

(Address)

Phone Number: ()

Fax Number: ()

III. **Attorney:**

N/A

(Name)

(Address)

Phone Number: ()

Fax Number: ()

IV. **Contractor/Engineer/Architect/Surveyor/:**

Robert M. Sears

(Name)

35 Merline Ave, New Windsor, NY 12553

(Address)

Phone Number (845) 562-3232

Fax Number: (845) 562-6134

V. **Property Information:**

Zone: R-4 Property Address in Question: 47 Knox Drive

Lot Size: _____ Tax Map Number: Section 6 Block B5 Lot B31

a. What other zones lie within 500 feet? /

b. Is pending sale or lease subject to ZBA approval of this Application? No

c. When was property purchased by present owner? November 1977

d. Has property been subdivided previously? No If so, When: _____

e. Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? No

f. Is there any outside storage at the property now or is any proposed? Yes

****PLEASE NOTE:*****

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

02-73

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

I have taken an early retirement because of a neurological disorder which leaves me unable to climb stairs at times. I need to increase my living space on one level which I will be spending most of my time. There are times I'll be using a wheelchair & need to get around inside & outside for exercise purposes. The recreation area will house my exercise equipment as well as allow me access to the outside in good weather. Since my wife works my son will be staying with us for a while to help & he'll need sleeping quarters.

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

02-73

XII. **ADDITIONAL COMMENTS:**

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
- _____
- _____
- _____

XIII. **ATTACHMENTS REQUIRED:**

- ☐ ~~Copy of referral from Building /Zoning Inspector or Planning Board.~~
- ☐ ~~Copy of tax map showing adjacent properties.~~
- ☒ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ ~~Copies of signs with dimensions and location.~~
- ☒ Three checks: **(each payable to the TOWN OF NEW WINDSOR)**
- ☒ One in the amount of \$ _____, (escrow)
- ☒ One in the amount of \$ _____, (application fee)
- ☒ One in the amount of \$ 25.00, (Public Hearing List Deposit)
- ☒ Photographs of existing premises from several angles.

XIV. **AFFIDAVIT.**

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

January 8th, 2003
Date:

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Thomas G. Barkley
(Applicant Signature)

Thomas G. Barkley
(Please Print Name)

Sworn to before me this 8th day of January, 2003.
JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified In Orange County
Commission Expires 10/30/2006

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

02-73

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

VIII. AREA VARIANCE:

Area Variance requested from New Windsor Zoning Local Law,

Section _____, Table of USE/BULK Regs., Col. G 8.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.			
Reqd. Rear Yd.	<u>40'</u>	<u>28'</u>	<u>12'</u>
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

*Residential Districts Only

**Non-Residential Districts Only

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 23rd day of November, nineteen hundred and seventy seven
BETWEEN EDWARD W. STURESKI, JR. and LINDA A. STURESKI, husband
and wife, both residing at 47 Knox Drive, Town of New Windsor,
Orange County, New York

party of the first part, and THOMAS G. BAILEY and NANCY E. BAILEY, husband and
wife, both residing at 2205 Vails Gate Heights Drive, Town of
New Windsor, Orange County, New York

party of the second part,

WITNESSETH, that the party of the first part, in consideration of -----

TEN (\$10.00) ----- dollars,

lawful money of the United States, and other good and valuable consideration paid
by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or
successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,

LIBER 2083 PAGE 394

SPK-104

TT

3575

lying and being in the Town of New Windsor, County of Orange and State of New York, known and designated as Lot 15, Block B on a certain map entitled, "Development Plan for Windsor Estates, Town of New Windsor, County of Orange, New York", made by Arthur W. Eustance, engineer, dated August 2, 1955 and last revised December 13, 1955 and filed in the Orange County Clerk's Office on December 15, 1955, map #1637.

Together with an easement over the streets as shown on said map to the nearest public highway, but excepting and reserving the fee to the said streets, the title to which is not hereby conveyed.

This conveyance is subject to the following restrictions:

1. No lot shall be used except for residential purposes.
2. No lot shall be resubdivided.
3. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.
4. No structure of a temporary character, trailer, basement tent, shack, barn or other outbuilding shall be used on any lot at any time as a residence either temporarily or permanently.
5. No sign of any kind shall be displayed to the public view on any lot except one professional sign of not more than one square foot.
6. No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats and other household pets may be kept provided they are not kept, bred, or maintained for any commercial purpose.
7. No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in a sanitary container. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.
8. No clothes line shall be permitted at any time on any portion of a lot other than rotary clothes lines.

02-73

9. No individual water supply system shall be permitted on any lot.

BEING the same premises conveyed by Frank S. Pucino and Rose R. Pucino to Edward W. Stureski Jr. and Linda A. Stureski, husband and wife, by deed dated January 13, 1967 and recorded in the Orange County Clerk's Office on January 17, 1967 in Liber 1761 of Deeds at page 125.

LIBER 2085 PAGE 595

02-73

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever, as tenants by the entirety.

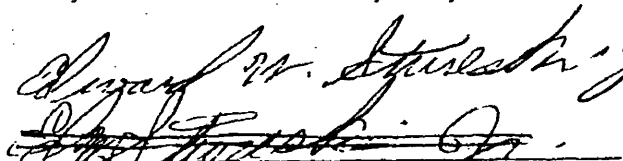
AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

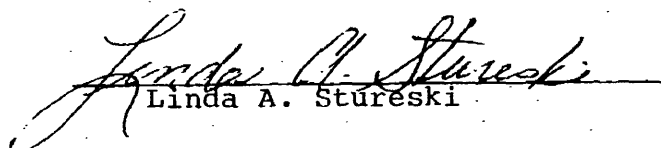
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:


Edward W. Stureski, Jr.


Linda A. Stureski

02-73

STATE OF NEW YORK, COUNTY OF ORANGE

SS:

On the 23rd day of November 1977, before me personally came EDWARD W. STURESKI, JR. AND LINDA A. STURESKI

to me known to be the individual S described in and who executed the foregoing instrument, and acknowledged that they executed the same.

Louis Werner
Notary Public

LOLLI, ALAN R
Notary Public, State of New York
Qualified in Orange County
Commission Expires March 3, 1998

STATE OF NEW YORK, COUNTY OF

SS:

On the day of 19 , before me
personally came
to me known, who, being by me duly sworn, did depose and
say that he resides at No.

that he is the
of

in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

STATE OF NEW YORK - COUNTY OF

53:

On the day of 19 , before me
personally came

to me known to be the individual described in and who
executed the foregoing instrument, and acknowledged that
executed the same.

STATE OF NEW YORK, COUNTY OF

\$\$:

On the day of 19 , before me
personally came
to me known, who, being by me duly sworn, did depose and
say that he resides at No. .

that he is the
of

in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

Bargain and Sale Deed
WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE No.

EDWARD W. STURESKI, JR. and
LINDA A. STURESKI, husband &
wife,

TO

THOMAS G. BAILEY and
NANCY E. BAILEY, husband &
wife.

SECTION

BLOCK

LOT

COUNTY OR TOWN

RETURN BY MAIL TO:

ALBERT P. PACIONE, JR.

P.O. Box 4109

New Windsor, N.Y.

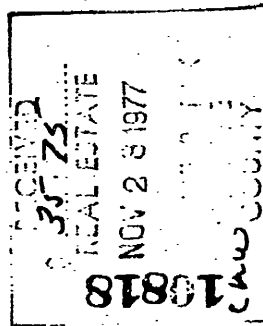
Zip No. 12550

35-73-
Pulavice Fund. B-1

Reserve this space for use of Recording Office.

02-73

LIBER 2085 PAGE 557



RECORDED
Nov 28 1977
Clerk
Examined
C. D. Winters